

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL  
FORM**

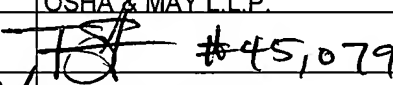
(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/776,030-Conf. #9063
	Filing Date	February 10, 2004
	First Named Inventor	Kunihiro Matsuura
	Art Unit	N/A
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	02008/149001

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application  <input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):  Combined Declaration and Power of Attorney Application Data Sheet Filing Fee for the Application (as shown on accompanying Fee Transmittal) Formal Drawings Part 2 Copy of Notice
<b>Remarks</b>		

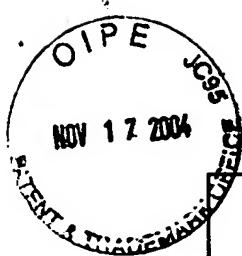
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	OSHA & MAY L.L.P.		
Signature			
Printed name	Jonathan P. Osha		
Date	November 17, 2004	Reg. No.	33,986

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 535681943 US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 17, 2004

Signature:  Charlotte L. Cookingham)



# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,050.00

## Complete if Known

Application Number 10/776,030-Conf. #9063  
Filing Date February 10, 2004  
First Named Inventor Kunihiro Matsuura  
Examiner Name Not Yet Assigned  
Art Unit N/A  
Attorney Docket No. 02008/149001

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number

50-0591

Deposit Account Name

Osha & May L.L.P.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	130.00
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 260.00

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	790.00
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 790.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below		Fee Paid
Total Claims	10	-20** =		x	0.00
Independent Claims	2	-3** =		x	0.00
Multiple Dependent					

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## SUBMITTED BY

Name (Print/Type) Jonathan P. Osha

Registration No. (Attorney/Agent)

33,986

## (Complete if applicable)

Telephone (713) 228-8600

Signature

*[Signature]* #45,079

Date

November 17, 2004

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Dated: November 17, 2004

Signature: *[Signature]* Charlotte L. Cookingham

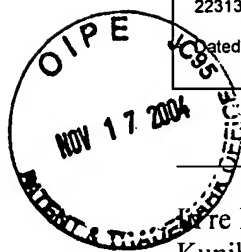
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Dated: November 17, 2004

Signature:

(Charlotte L. Cookingham)

Docket No.: 02008/149001  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Pre Patent Application of:  
Kunihiro Matsuura et al.

Application No.: 10/776,030

Confirmation No.: 9063

Filed: February 10, 2004

Art Unit: N/A

For: TESTING APPARATUS

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed September 27, 2004, Applicant respectfully submits a Combined Declaration and Power of Attorney, an Application Data Sheet, the Filing Fee for the Application (as shown on accompanying Fee Transmittal), Formal Drawings (8 figures, 8 pages), Submission of Substitute Drawings, Verification of English Translation and Translation of Specification and Part 2 Copy of Notice.

Please charge our Credit Card in the amount of \$1,050.00 covering the fee set forth in 37 CFR 1.16(e), 1.16(a), 1.17(k), and 1.16(e). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 50-0591, under Order No. 02008/149001.

Application No.: 10/776,030

Docket No.: 02008/149001

Dated: November 17, 2004

Respectfully submitted,

By 

Thomas R. Scherer  
Registration No.: 45,079  
OSHA & MAY L.L.P.  
1221 McKinney St., Suite 2800  
Houston, Texas 77010  
(713) 228-8600  
(713) 228-8778 (Fax)



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 535681943 US, in an envelope addressed to MS PGPUB Drawings, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 17, 2004 Signature: *Charlotte L. Cookingham*

(Charlotte L. Cookingham)

Docket No.: 02008/149001  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kunihiro Matsuura et al.

Application No.: 10/776,030

Confirmation Number: 9063

Filed: February 10, 2004

Art Unit: N/A

For: TESTING APPARATUS

Examiner: Not Yet Assigned

**SUBMISSION OF SUBSTITUTE DRAWINGS**

MS PGPUB Drawings  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith is one set (eight sheets, eight figures) of substitute drawings for filing in the above-identified patent application.

Applicant submits that the substitute drawings are formal.

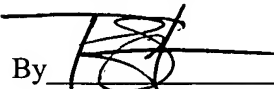
Application No.: 10/776,030

Docket No.: 02008/149001

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0591, under Order No. 02008/149001 from which the undersigned is authorized to draw.

Dated: November 17, 2004

Respectfully submitted,

By 

Thomas K. Scherer  
Registration No.: 45,079  
OSHA & MAY L.L.P.  
1221 McKinney St., Suite 2800  
Houston, Texas 77010  
(713) 228-8600  
(713) 228-8778 (Fax)



Application No. (if known): 10/776,030

Attorney Docket No.: 02008/149001

## Certificate of Express Mailing Under 37 CFR 1.10

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on November 17, 2004  
Date

  
Signature

Charlotte L. Cookingham

Typed or printed name of person signing Certificate

Registration Number, if applicable

(713) 228-8600  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Application Data Sheet



NOV 18 2004

Page 1 of 2 IFW

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/776,030	02/10/2004	Kunihiro Matsuura	02008.149001

Jonathan P. Osha  
ROSENTHAL & OSHA L.L.P.  
Suite 2800  
1221 McKinney  
Houston, TX 77010

CONFIRMATION NO. 9063

## FORMALITIES LETTER



\*OC000000013913564\*

Date Mailed: 09/27/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/19/2004 YPOLITE1 00000067 10776030

01 FC:1001	790.00 OP
02 FC:1051	130.00 OP
03 FC:1051	130.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing figures contain text that is not in English (including, for example, a flow



chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 2, 7.

**SUMMARY OF FEES DUE:**


Total additional fee(s) required for this application is **\$1030** for a Large Entity

- <sup>740</sup>~~\$770~~ Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Replies should be mailed to:   Mail Stop Missing Parts  
  Commissioner for Patents  
  P.O. Box 1450  
  Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE